

## **RECORD OF PLAN CONFORMANCE AND CATEGORICAL EXCLUSION (CX) DETERMINATION**

CX Log #: OR-014-CX-04-28 Lease or Serial #: N/A  
Project Name: Gerber Road Precommercial Thinning  
Location: T 39 S, R 13 E, Section 2 County: Klamath County  
BLM Office: Lakeview District, Klamath Falls Resource Area Phone #: 541-883-6916

### **Description of the Proposed Action:**

Thinning of small (<8" diameter) pine trees in a 100-foot-wide strip along Gerber Road (see attached map and details). Leave trees would be spaced approximately 16' x 16' apart. Slash would be cut into 4' lengths, piled in an open area, and burned.

### **PLAN CONFORMANCE**

The above project has been reviewed and found to be in conformance with the following BLM plans or NEPA analyses:

- A. Klamath Falls Resource Area Record of Decision and Resource Management Plan and Rangeland Program Summary (KFRA ROD/RMP/RPS), approved June 1995. (Refer to pages 53-55, and E-6).*
- B. Vegetation Treatment on BLM Lands in Thirteen Western States FEIS and ROD (1991)*
- C. Lakeview District Fire Management Plan - Phase 1 (1998)*
- D. Wildland and Prescribed Fire Management Policy (1998)*
- E. Standards for Land Health for Lands Administered by the Bureau of Land Management in the States of Oregon and Washington (1998)*
- F. Interior Columbia Basin Strategy Scientific Documentation (2003)*
- G. National Fire Plan (A Collaborative Approach for Reducing Wildland Fire Risks to Communities and the Environment 10-Year Comprehensive Strategy) (2001)*

## IDENTIFICATION OF EXCLUSION CATEGORY

The proposed action has been identified as a categorical exclusion under – **Bureau of Land Management Categorical Exclusions 516 DM 6, Appendix 5.4 C (4).**

## COMPLIANCE WITH THE NATIONAL ENVIRONMENTAL POLICY ACT

The proposed action is categorically excluded from further analysis or documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM2, Appendix 1, 1.12 if it does not meet any of the following Exceptions (listed in 516 DM 2, Appendix 2; IM No. OR-2002-130).

Will the proposed action meet the following Exceptions?

<b><u>Exception</u></b>	<b><u>Yes No</u></b>
1. Have significant adverse effects on public health or safety?	( ) ( X )
2. Have adverse effects on such unique geographic characteristics or features, or on special designation areas such as historic or cultural resources; park, recreation, or refuge lands; wilderness areas; wild or scenic rivers; sole or principal drinking water aquifers; prime farmlands; or ecologically significant or critical areas, including those listed on the National Register of Natural Landmarks. This also includes significant caves, ACECs, National Monuments, WSAs, RNAs.	( ) ( X )
3. Have highly controversial environmental effects (40 CFR 1508.14)?	( ) ( X )
4. Have highly uncertain and potentially significant environmental effects or unique or unknown environmental risks?	( ) ( X )
5. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects?	( ) ( X )
6. Be directly related to other actions with individually insignificant, but significant cumulative environmental effects? This includes connected actions on private lands (40 CFR 1508.7 and 1508.25(a)).	( ) ( X )
7. Have adverse effects on properties listed or eligible for listing on the National Register of Historic Places? This includes Native American religious or cultural sites, archaeological sites, or historic properties.	( ) ( X )
8. Have adverse effects on species listed or proposed to be listed as Federally Endangered or Threatened Species, or have adverse effects on designated critical habitat for these species? This includes impacts on BLM-designated sensitive species or their habitat. When a Federally listed species or its habitat is encountered, a Biological Evaluation (BE) shall document the effect on the species. The responsible official may proceed with the proposed action without preparing a NEPA document when the BE demonstrates either 1) a “no effect” determination or 2) a “may effect, not likely to adversely effect” determination.	( ) ( X )
9. Fail to comply with Executive Order 11988 (Floodplain Management), Executive Order 11990 (Protection of Wetlands), or the Fish and Wildlife Coordination Act (water resource development projects only)?	( ) ( X )
10. Violate a Federal, State, Local, or Tribal law, regulation or policy imposed for the protection of the environment, where non-Federal requirements are consistent with Federal requirements?	( ) ( X )
11. Involve unresolved conflicts concerning alternative uses of available resources (NEPA section 102(2)(E)) not already decided in an approved land use plan?	( ) ( X )
12. Have a disproportionate significant adverse impacts on low income or minority populations; Executive Order 12898 (Environmental Justice)?	( ) ( X )

13. Restrict access to, and ceremonial use of, Indian sacred sites by Indian religious practitioners or adversely affect the physical integrity of such sacred sites; Executive Order 13007 (Indian Sacred Sites)?	( ) ( X )
14. Have significant adverse effect on Indian Trust Resources?	( ) ( X )
15. Contribute to the introduction, existence, or spread of: Federally listed noxious weeds (Federal Noxious Weed Control Act); or invasive non-native species; Executive Order 13112 (Invasive Species)?	( ) ( X )
16. Have a direct or indirect adverse impact on energy development, production, supply, and/or distribution; Executive Order 13212 (Actions to Expedite Energy-Related Projects)?	( ) ( X )

The proposed action would not create adverse environmental effects or meet any of the above exceptions.

## DOCUMENTATION OF RECOMMENDED MITIGATION

For any item marked under "Yes", identify the mitigating measures proposed. If no mitigating measures are identified that can prevent the potential adverse impacts, the conditions for a categorical exclusion cannot be met.

Item No.	Can Be Mitigated	Cannot Be Mitigated	Mitigation Measures

## SURVEYS AND CONSULTATION

Surveys and/or consultation may be needed for special status plants and animals, for cultural resources, and other resources as necessary: (Initial and Date appropriate fields)

Surveys:	1) are completed	2) will be completed	3) are not needed
- SS Plants	<u>JW 8/27/04</u>		
- SS Animals			<u>SS 8/24</u>
Cultural Resources	<u>WLS</u>		
Other Surveys			
SS Animal Consultation			<u>Sut 8/25</u>
Botanical Consultation			<u>JW 8/27/04</u>
Cultural Consultation			

(SS = Special Status)

### Remarks:

## SUMMARY OF FINDINGS and CX DETERMINATION

Based on the available information and a review by the interdisciplinary team, it is my determination that the proposed action does not constitute a significant impact affecting the quality of the human environment greater than those addressed in the:

- Final - Klamath Falls Resource Area Resource Management Plan and EIS.
- or
- Final - Upper Klamath Basin and Wood River Wetland Resource Management Plan and EIS.

The proposed action would not create adverse environmental impacts or require the preparation of an environmental assessment (EA) or environmental impact statement (EIS). The proposed action has been reviewed against the criteria for an Exception to a categorical exclusion (listed above) as identified in 516 DM 2, Appendix 2, and does not meet any Exception. The application of this categorical exclusion is appropriate, as there are no extra ordinary circumstances potentially having effects that may significantly affect the environment. The proposed action is, therefore, categorically excluded from additional NEPA documentation.

Prepared By: (Signature)	Name: <u>Blum</u>	Title: <u>Silviculturist</u>	Date: <u>8/26/04</u>
Reviewed By: (Signature)	Name: <u>Don Hoffheins</u>	Title: <u>Planner/ Environmental Coordinator</u>	Date: <u>9/8/04</u>
Approved By: (Signature)	Name: <u>Jon Raby</u>	Title: <u>Resource Area Manager</u>	Date: <u>9/14/04</u>

August 23, 2004

Gerber Road Precommercial Thinning Above Ben Hall Creek Bridge

(Approx. 2 acres in strip along west side of Gerber Road)

Thin small ponderosa pine (<8" diameter) to an approximate 16' x 16' spacing of leave trees.

Stump height 6" max.; lower is better

Leave trees should be the best ponderosa pine to select from at the approximate spacing:

- \*Largest trees
- \*Most healthy/vigorous trees (best-looking crowns)
- \*Good form (straight trees, no porcupine tops)

Cut all juniper in this area

Buck all cut trees into 4' lengths

Pile slash in open areas away from leave trees and cover with plastic. Old/existing slash can be added to these piles.....And... avoid piling in ditch, or below topo break to Ben Hall Creek.

